

SENATE JOINT RESOLUTION 596

By Burchett

A RESOLUTION expressing support for the Department of
Health's Epilepsy Awareness Program.

WHEREAS, epilepsy is a devastating health condition that affects over 2,700,000 people in the United States, of whom over 155,037 are residents of the State of Tennessee; and

WHEREAS, Tennessee has the greatest prevalence of epilepsy in the United States as recorded by the Centers for Disease Control and Prevention, BRFSS 2004; and

WHEREAS, epilepsy is a neurological condition characterized by recurrent seizures, which are brief disturbances in the electrical activity of the brain; and

WHEREAS, the United States Center for Disease Control and Prevention recognizes epilepsy as a chronic disease and has formulated a public health agenda to target key challenges facing people with epilepsy; and

WHEREAS, not all people experience epilepsy the same way. The unique nature of epilepsy, more precisely termed, "the epilepsies," refers to the various reasons that a seizure may occur and affect different parts of the brain in very different ways; and

WHEREAS, one in every ten Americans will experience a seizure during his or her lifetime. Three percent will eventually develop epilepsy, as it can begin at any age, most commonly in children and in the elderly; and

WHEREAS, epilepsy remains a formidable barrier to leading a normal life by affecting education, employment, marriage, childbearing, and personal fulfillment; and

WHEREAS, epilepsy results in an estimated annual cost of \$15.5 billion in medical costs and lost or reduced earnings and productivity; and

WHEREAS, a variety of treatment options are available to treat epilepsy, including, but not limited to, medications, surgery, devices providing electrical stimulation, or a special diet.

However, prescribed medications are the most common and cost-effective treatment for epilepsy; and

WHEREAS, even one seizure will result in the loss of one's driver license for a minimum of six months, leading to a loss of transportation that may result in the loss of employment, a situation that is detrimental to a family's financial well-being and stability; and

WHEREAS, the State of Tennessee recognizes that the 155,037 residents with epilepsy constitute an issue of public safety and should be allowed public safety protection by being notified or having their physician be notified and give consent before generic or therapeutic substitution of an anti-epileptic drug could occur; and

WHEREAS, Tennessee residents living with epilepsy and receiving non-physician or non-patient authorized drugs as a result of generic or therapeutic substitution may incur additional health risks, possibly life threatening, and increased health care expenditures, such as added physician visits, emergency transportation and emergency room visits, or hospitalization; and

WHEREAS, the American Medical Association, the World Medical Association, and the Epilepsy Foundation Affiliates of Tennessee oppose generic or therapeutic substitution without provider or patient notification and consent; and

WHEREAS, generic or therapeutic substitution may result in the 155,037 Tennessee residents living with epilepsy being treated with a drug agent that lacks efficacy or may produce life threatening toxicity or may interact adversely with other drugs; and

WHEREAS, the State of Tennessee Department of Health has instituted an Epilepsy Program to conduct epilepsy education and awareness; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the State of Tennessee Department of Health's Epilepsy Awareness Program continue to include awareness and education on the importance of continuity of care, patient compliance, especially with regard to medication therapy regiment.

BE IT FURTHER RESOLVED, that without provider or patient notification and consent, all anti-epileptic medications be exempted from any mandatory generic or therapeutic

substitution requirements to avoid unnecessary public safety and health risks as well as to avoid an increase of state health expenditures to the citizens of the State of Tennessee.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be transmitted to the Commissioner of Finance and Administration, TennCare, and the Department of Health.